



# House of Representatives

General Assembly

**File No. 712**

*January Session, 2001*

Substitute House Bill No. 6826

*House of Representatives, May 9, 2001*

The Committee on Appropriations reported through REP. DYSON of the 94th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING INTERDISTRICT PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-66aa of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 As used in sections 10-66aa to 10-66ff, inclusive, as amended by this  
4 act, section 5 of this act and section 10-282, as amended by this act:

5 (1) "Charter school" means a public, nonsectarian school which is  
6 (A) established under a charter granted pursuant to section 10-66bb, as  
7 amended by this act, (B) organized as a nonprofit entity under state  
8 law, (C) a public agency for purposes of the Freedom of Information  
9 Act, as defined in section 1-200, and (D) operated independently of any  
10 local or regional board of education in accordance with the terms of its  
11 charter and the provisions of sections 10-66aa to 10-66ff, inclusive, as  
12 amended by this act, provided no member or employee of a governing  
13 council of a charter school shall have a personal or financial interest in

14 the assets, real or personal, of the school;

15 (2) "Local charter school" means a public school or part of a public  
16 school that is converted into a charter school and is approved by the  
17 local or regional board of education of the school district in which it is  
18 located and by the State Board of Education pursuant to subsection (e)  
19 of section 10-66bb; and

20 (3) "State charter school" means a new public school approved by  
21 the State Board of Education pursuant to subsection (f) of section 10-  
22 66bb.

23 Sec. 2. Subsection (d) of section 10-66bb of the general statutes is  
24 repealed and the following is substituted in lieu thereof:

25 (d) Applications pursuant to this section shall include a description  
26 of: (1) The mission, purpose and any specialized focus of the proposed  
27 charter school; (2) the interest in the community for the establishment  
28 of the charter school; (3) the school governance and procedures for the  
29 establishment of a governing council that (A) includes teachers and  
30 parents and guardians of students enrolled in the school, except as  
31 may otherwise be approved by the State Board of Education, and (B) is  
32 responsible for the oversight of charter school operations, provided no  
33 member or employee of the governing council may have a personal or  
34 financial interest in the assets, real or personal, of the school; (4) the  
35 financial plan for operation of the school, provided no application fees  
36 or other fees for attendance, except as provided in section 10-66ee, may  
37 be charged; (5) the educational program, instructional methodology  
38 and services to be offered to students; (6) the number and  
39 qualifications of teachers and administrators to be employed in the  
40 school; (7) the organization of the school in terms of the ages or grades  
41 to be taught and the total estimated enrollment of the school; (8) the  
42 student admission criteria and procedures to (A) ensure effective  
43 public information, (B) ensure open access on a space available basis,  
44 (C) promote a diverse student body, and (D) ensure that the school

45 complies with the provisions of section 10-15c and that it does not  
46 discriminate on the basis of disability, athletic performance or  
47 proficiency in the English language, provided the school may limit  
48 enrollment to a particular grade level or specialized educational focus  
49 and, if there is not space available for all students seeking enrollment,  
50 the school may give preference to siblings but shall otherwise  
51 determine enrollment by a lottery; (9) a means to assess student  
52 performance that includes participation in state-wide mastery  
53 examinations pursuant to chapter 163c; (10) procedures for teacher  
54 evaluation and professional development for teachers and  
55 administrators; (11) the provision of school facilities, pupil  
56 transportation and student health and welfare services; (12)  
57 procedures to encourage involvement by parents and guardians of  
58 enrolled students in student learning, school activities and school  
59 decision-making; (13) document efforts to increase the racial and  
60 ethnic diversity of staff; and (14) a five-year plan to sustain the  
61 maintenance and operation of the school. Subject to the provisions of  
62 subsection (b) of section 10-66dd, an application may include, or a  
63 charter school may file, requests to waive provisions of the general  
64 statutes and regulations not required by sections 10-66aa to 10-66ff,  
65 inclusive, and which are within the jurisdiction of the State Board of  
66 Education.

67       Sec. 3. (NEW) (a) For the fiscal year ending June 30, 2002, and each  
68 fiscal year thereafter, if the charter of a state charter school has been  
69 renewed at least once pursuant to subsection (g) of section 10-66bb of  
70 the general statutes, the governing council of such state charter school  
71 may be eligible for a grant for a percentage of the reasonable costs of a  
72 school building project for such state charter school. Grants pursuant  
73 to this section shall be subject to the requirements established in  
74 chapter 173 of the general statutes. The percentage of school building  
75 project grant money a state charter school may be eligible to receive  
76 shall be the same as the percentage determined pursuant to section  
77 10-285a of the general statutes, for the town in which the state charter

78 school is located. The commissioner shall only approve applications  
79 for grants under this section that the commissioner finds will reduce  
80 racial, ethnic and economic isolation.

81 (b) If the school building ceases to be used for the purposes for  
82 which the grant was provided within twenty years of the date of  
83 approval by the General Assembly of the project, the Commissioner of  
84 Education shall determine whether (1) title to the building and any  
85 legal interest in appurtenant land shall revert to the state, or (2) the  
86 governing council of the state charter school shall reimburse the state  
87 for the amount of the grant.

88 Sec. 4. Subdivision (3) of section 10-282 of the general statutes is  
89 repealed and the following is substituted in lieu thereof:

90 (3) "School building project", except as used in section 10-289, means  
91 (A) the construction, purchase, extension, replacement, renovation or  
92 major alteration of a building to be used for public school purposes,  
93 including the equipping and furnishing of any such construction,  
94 purchase, extension, replacement, renovation or major alteration, the  
95 improvement of land therefor, or the improvement of the site of an  
96 existing building for public school purposes, but shall not include the  
97 cost of a site, except as provided in subsection (b) of section 10-286d;  
98 (B) the construction and equipping and furnishing of any such  
99 construction of any building which the towns of Norwich, Winchester  
100 and Woodstock may provide by lease or otherwise for use by the  
101 Norwich Free Academy, Gilbert School and Woodstock Academy,  
102 respectively, in furnishing education for public school pupils under the  
103 provisions of section 10-34; [and] (C) the addition to, renovation of and  
104 equipping and furnishing of any such addition to or renovation of any  
105 building which may be leased, upon the approval of the State Board of  
106 Education, to any local or regional board of education for a term of  
107 twenty years or more for use by such local or regional board in  
108 furnishing education of public school pupils; and (D) the refinancing

109 of a mortgage secured by a state charter school.

110 Sec. 5. Section 10-264l of the general statutes is repealed and the  
111 following is substituted in lieu thereof:

112 (a) The Department of Education shall, within available  
113 appropriations, establish a grant program to assist local and regional  
114 boards of education, regional educational service centers and  
115 cooperative arrangements pursuant to section 10-158a with the  
116 operation of interdistrict magnet school programs. For the purposes of  
117 this section "an interdistrict magnet school program" means a program  
118 which (1) supports racial, ethnic and economic diversity, (2) offers a  
119 special and high quality curriculum, and (3) requires students who are  
120 enrolled to attend at least half-time. An interdistrict magnet school  
121 program does not include a regional vocational agriculture school, a  
122 regional vocational-technical school or a regional special education  
123 center. [On and after]

124 (b) From July 1, 2000, to June 30, 2005, the governing authority for  
125 each interdistrict magnet school program shall restrict the number of  
126 students that may enroll in the program from a participating district to  
127 eighty per cent of the total enrollment of the program. On and after  
128 July 1, 2005, the governing authority for each interdistrict magnet  
129 school program shall (1) restrict the number of students that may  
130 enroll in the program from a participating district to seventy-five per  
131 cent of the total enrollment of the program, and (2) maintain a school  
132 enrollment such that at least twenty-five per cent but not more than  
133 seventy-five per cent of the students enrolled are pupils of racial  
134 minorities, as defined in section 10-226a. No student enrolled in a  
135 magnet school during the 2000-2001 school year shall be displaced as a  
136 result of enrollment restrictions pursuant to this section.

137 [(b)] (c) Applications for interdistrict magnet school program  
138 operating grants awarded pursuant to this section shall be submitted  
139 annually to the Commissioner of Education at such time and in such

140 manner as the commissioner prescribes. In determining whether an  
141 application shall be approved and funds awarded pursuant to this  
142 section, the commissioner shall consider, but such consideration shall  
143 not be limited to: (1) Whether the program offered by the school is  
144 likely to increase student achievement; (2) whether the program is  
145 likely to reduce racial, ethnic and economic isolation; and (3) the  
146 percentage of the student enrollment in the program from each  
147 participating district. [On and after] From July 1, 2000, to June 30, 2005,  
148 the commissioner shall not award a grant to a program if more than  
149 eighty per cent of its total enrollment is from one school district, except  
150 that the commissioner may award a grant for good cause, for any one  
151 year, on behalf of an otherwise eligible magnet school program, if  
152 more than eighty per cent of the total enrollment is from one district.  
153 On and after July 1, 2005, the commissioner shall not award a grant to  
154 a program if more than seventy-five per cent of its total enrollment is  
155 from one school district or if less than twenty-five or more than  
156 seventy-five per cent of the students enrolled are pupils of racial  
157 minorities, as defined in section 10-226a, except that the commissioner  
158 may award a grant for good cause, for one year, on behalf of an  
159 otherwise eligible magnet school program, if more than seventy-five  
160 per cent of the total enrollment is from one district or less than twenty-  
161 five or more than seventy-five per cent of the students enrolled are  
162 pupils of racial minorities. The commissioner may not award grants  
163 pursuant to such an exception for a second consecutive year.

164 [(c) The] (d) For the fiscal years ending June 30, 2002, to June 30,  
165 2005, inclusive, the maximum amount each interdistrict magnet school  
166 program shall be eligible to receive per enrolled student shall be  
167 determined as follows: (1) For each participating district whose magnet  
168 school program enrollment is equal to or less than thirty per cent of the  
169 magnet school program total enrollment, ninety per cent of the  
170 foundation as defined in subdivision (7) of section 10-262f; (2) for each  
171 participating district whose magnet school program enrollment is  
172 greater than thirty per cent but less than or equal to sixty per cent of

173 the magnet school program total enrollment, a percentage between  
174 sixty and ninety per cent of said foundation that is inversely  
175 proportional to the percentage of magnet school program students  
176 from such district; and (3) for each participating district whose magnet  
177 school program enrollment is greater than sixty per cent but less than  
178 or equal to ninety per cent of the magnet school program total  
179 enrollment, a percentage between zero and sixty per cent of said  
180 foundation that is inversely proportional to the percentage of magnet  
181 school program students from such district. For the fiscal year ending  
182 June 30, 2006, and each fiscal year thereafter, the maximum amount  
183 each interdistrict magnet school program shall be eligible to receive  
184 per enrolled student shall be determined as follows: (A) For each  
185 participating district whose magnet school program enrollment is  
186 equal to or less than twenty-five per cent of the magnet school  
187 program total enrollment, ninety per cent of the foundation as defined  
188 in subdivision (7) of section 10-262f; (B) for each participating district  
189 whose magnet school program enrollment is greater than twenty-five  
190 per cent but less than or equal to fifty per cent of the magnet school  
191 program total enrollment, a percentage between sixty and ninety per  
192 cent of said foundation that is inversely proportional to the percentage  
193 of magnet school program students from such district; and (C) for each  
194 participating district whose magnet school program enrollment is  
195 greater than fifty per cent but less than or equal to seventy-five per  
196 cent of the magnet school program total enrollment, a percentage  
197 between zero and sixty per cent of said foundation that is inversely  
198 proportional to the percentage of magnet school program students  
199 from such district. The amounts so determined shall be  
200 proportionately adjusted, if necessary, within the limit of the available  
201 appropriation, and in no case shall any grant pursuant to this section  
202 exceed the reasonable operating budget of the magnet school program,  
203 less revenues from other sources. Any magnet school program  
204 operating less than full-time but at least half-time shall be eligible to  
205 receive a grant equal to sixty-five per cent of the grant amount

206 determined pursuant to this subsection.

207     ~~[(d)]~~ (e) Grants made pursuant to this section shall be paid as  
208 follows: Fifty per cent by September first and the balance by January  
209 first of each fiscal year. The January first payment shall be adjusted to  
210 reflect actual interdistrict magnet school program enrollment as of the  
211 preceding October first, if the actual level of enrollment is lower than  
212 the projected enrollment stated in the approved grant application.

213     ~~[(e)]~~ (f) The Department of Education may retain up to one per cent  
214 of the amount appropriated for purposes of this section for program  
215 evaluation and administration.

216     ~~[(f)]~~ (g) Each local or regional school district in which an interdistrict  
217 magnet school is located shall provide the same kind of transportation  
218 to its children enrolled in such interdistrict magnet school as it  
219 provides to its children enrolled in other public schools in such local or  
220 regional school district. The parent or guardian of a child denied the  
221 transportation services required to be provided pursuant to this  
222 subsection may appeal such denial in the manner provided in sections  
223 10-186 and 10-187.

224     ~~[(g)]~~ (h) On or before October fifteenth of each year, the  
225 Commissioner of Education shall determine if interdistrict magnet  
226 school enrollment is below the number of students for which funds  
227 were appropriated. If the commissioner determines that the enrollment  
228 is below such number, the additional funds shall not lapse but shall be  
229 used by the commissioner for grants for interdistrict cooperative  
230 programs pursuant to section 10-74d.

231     ~~[(h)]~~ (i) In the case of a student identified as requiring special  
232 education, the school district in which the student resides shall: (1)  
233 Hold the planning and placement team meeting for such student and  
234 shall invite representatives from the interdistrict magnet school to  
235 participate in such meeting; and (2) pay the interdistrict magnet school



236 an amount equal to the difference between the reasonable cost of  
237 educating such student and the sum of the amount received by the  
238 interdistrict magnet school for such student pursuant to subsection  
239 [(c)] (f) of this section and amounts received from other state, federal,  
240 local or private sources calculated on a per pupil basis. Such school  
241 district shall be eligible for reimbursement pursuant to section 10-76g.  
242 If a student requiring special education attends an interdistrict magnet  
243 school on a full-time basis, such interdistrict magnet school shall be  
244 responsible for ensuring that such student receives the services  
245 mandated by the student's individualized education program whether  
246 such services are provided by the interdistrict magnet school or by the  
247 school district in which the student resides.

248 Sec. 6. Subsections (a) to (c), inclusive, of section 10-266aa of the  
249 general statutes are repealed and the following is substituted in lieu  
250 thereof:

251 (a) As used in this section:

252 (1) "Receiving district" means any school district that accepts  
253 students under the program established pursuant to this section; and

254 (2) "Sending district" means any school district that sends students it  
255 would otherwise be legally responsible for educating to another school  
256 district under the program; and

257 (3) "Minority students" means students who are "pupils of racial  
258 minorities", as defined in section 10-226a.

259 (b) There is established, within available appropriations, [a state-  
260 wide] an interdistrict public school attendance program. The purpose  
261 of the program shall be to: (1) Improve academic achievement; (2)  
262 reduce racial, ethnic and economic isolation or preserve racial and  
263 ethnic balance; and (3) provide a choice of educational programs for  
264 students enrolled in the public schools. The Department of Education

265 shall provide oversight for the program, including the setting of  
266 reasonable limits for the transportation of students participating in the  
267 program, and may provide for the incremental expansion of the  
268 program for the school year commencing in 2000 for each town  
269 required to participate in the program pursuant to subsection (c) of  
270 this section.

271 (c) The program shall be phased in as provided in this subsection.  
272 [(1) For the fiscal year ending June 30, 1998, the Department of  
273 Education shall provide grants in the amount of fifty thousand dollars  
274 each to the regional educational service centers for the Hartford, New  
275 Haven and Bridgeport regions to assist school districts in planning for  
276 the operation of the program. (2)] (1) For the school year commencing  
277 in 1998, and for each school year thereafter, the program shall be in  
278 operation in the Hartford, New Haven and Bridgeport regions. The  
279 Hartford program shall operate as a continuation of the program  
280 described in section 10-266j. Students who reside in Hartford, New  
281 Haven or Bridgeport may attend school in another school district in  
282 the region and students who reside in such other school districts may  
283 attend school in Hartford, New Haven or Bridgeport, provided,  
284 beginning with the 2001-2002 school year, the proportion of students  
285 who are not minority students to the total number of students leaving  
286 Hartford, Bridgeport or New Haven to participate in the program shall  
287 not be greater than the proportion of students who were not minority  
288 students in the prior school year to the total number of students  
289 enrolled in Hartford, Bridgeport or New Haven in the prior school  
290 year. The regional educational service center operating the program  
291 shall make program participation decisions in accordance with the  
292 requirements of this subdivision. (2) For the school year commencing  
293 in 2000, and for each school year thereafter, the program shall be in  
294 operation in New London and Windham, provided beginning with the  
295 2001-2002 school year, the proportion of students who are not minority  
296 students to the total number of students leaving New London and  
297 Windham to participate in the program shall not be greater than the

298 proportion of students who were not minority students in the prior  
299 year to the total number of students enrolled in New London and  
300 Windham in the prior school year. The regional educational service  
301 center operating the program shall make program participation  
302 decisions in accordance with this subdivision. (3) The Department of  
303 Education may provide, within available appropriations, grants for the  
304 fiscal [years ending June 30, 1999, and June 30, 2000] year ending June  
305 30, 2003, to the remaining regional educational service centers to assist  
306 school districts in planning for [the expansion of the program to] a  
307 voluntary program of student enrollment in every priority school  
308 district, pursuant to section 10-266p, [in the state. (3) For the school  
309 year commencing in 2000, and for each school year thereafter, the  
310 program shall be in operation in New Britain, New London,  
311 Waterbury and Windham. (4)] which is interested in participating in  
312 accordance with this subdivision. For the school year commencing in  
313 [2001] 2003, and for each school year thereafter, the voluntary  
314 enrollment program [shall] may be in operation in every priority  
315 school district in the state. Students from other school districts in the  
316 area of a priority school district, as determined by the regional  
317 educational service center pursuant to subsection (d) of this section,  
318 may attend school in the priority school district, [and students from  
319 the priority school district may attend school in any school district in  
320 such area in accordance with the provisions of this section, including  
321 the purposes specified in subsection (b) of this section] provided such  
322 students bring racial, ethnic and economic diversity to the priority  
323 school district and do not increase the racial, ethnic and economic  
324 isolation in the priority school district.

325       Sec. 7. Subsection (b) of section 10-74d of the general statutes is  
326 repealed and the following is substituted in lieu thereof:

327       (b) To be eligible for a grant under this section, each application  
328 shall be submitted pursuant to a cooperative arrangement on behalf of  
329 two or more local or regional boards of education, by a regional

330 educational service center solely or pursuant to a cooperative  
331 arrangement with one or more local or regional boards of education,  
332 or, in the case of a lighthouse school, by a local or regional board of  
333 education or regional educational service center. Applications shall be  
334 submitted annually to the Commissioner of Education at such times  
335 and in such manner as the commissioner prescribes. In determining  
336 whether an application shall be approved and funds awarded  
337 pursuant to this section, the commissioner shall consider, but such  
338 consideration shall not be limited to, the following factors: (1) The  
339 specific objectives and description of the proposed program; (2) the  
340 cost; (3) the number of school districts and students that will benefit,  
341 provided [on and after] from July 1, 1998, to June 30, 2005, the  
342 commissioner shall not award a grant for a program, other than a  
343 lighthouse school, in which more than eighty per cent of the students  
344 are from one school district and on and after July 1, 2005, the  
345 commissioner shall not award a grant for a program, other than a  
346 lighthouse school, in which more than seventy-five per cent of the  
347 students are from one school district; (4) the relative wealth of the  
348 participating school districts; and (5) whether the proposed program is  
349 likely to (A) increase student achievement, and (B) reduce racial, ethnic  
350 and economic isolation.

351 Sec. 8. This act shall take effect July 1, 2001.

**ED**            *Joint Favorable Subst. C/R*

APP

**APP**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Future Cost (Bonding and Debt Service)

**Affected Agencies:** Department of Education

**Municipal Impact:** None

**Explanation****State and Municipal Impact:**

The bill makes state charter schools whose charters have been renewed at least once by the SBE eligible to receive state school construction grants, under the same procedures and requirements as apply to other public school building projects. But it requires the education commissioner to approve grants only for charter school projects that he finds will reduce racial, ethnic, and economic isolation.

The bill allows a state charter school to use its school construction grant to refinance a mortgage on its building.

It makes the state reimbursement percentage for a state charter school building project the same as that of the town where it is located. (The state reimburses towns for between 20% and 80% of their eligible school construction costs, depending on wealth.)

If within 20 years after the General Assembly approves a charter school project, the building ceases to be used for the purpose for which

the grant was provided, the education commissioner must determine whether (1) title to the building and land reverts to the state or (2) the charter school governing council must reimburse the state for the amount of the grant.

No exact cost to this change can be determined, as the actions of the charter schools with regard to construction are not known. However this change will increase future bonding and debt service needs.

All other sections of the bill are technical and/or have no fiscal impact.

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**OLR BILL ANALYSIS**

sHB 6826

***AN ACT CONCERNING INTERDISTRICT PROGRAMS.*****SUMMARY:**

This bill makes many changes in requirements for interdistrict magnet schools, the Open Choice Program, charter schools, and interdistrict cooperative programs.

Starting July 1, 2005, the bill requires interdistrict magnet schools' student bodies to be at least 25%, but not more than 75%, minority. It also reduces the maximum percentage of students from any one of a school's participating districts from 80% to 75%.

For the Open Choice Program, the state's interdistrict public school choice program, the bill:

1. restricts mandatory participation to Bridgeport, Hartford, New Haven, New London, and Windham and their surrounding areas;
2. requires the percentage of white students from the five districts who leave to attend school in other districts to be no greater than the percentage of white students enrolled in public schools in the five districts in the preceding year; and
3. makes the program in the remaining nine priority districts voluntary rather than mandatory starting in 2003 and makes the voluntary programs one-way, "in-only" transfer programs.

The bill makes state charter schools whose charters have been renewed eligible for state school building project grants. It also allows the State Board of Education (SBE) to waive a requirement that charter school governing councils include teachers and students' parents or guardians.

Finally, starting July 1, 2005, the bill reduces, from 80% to 75%, the maximum percentage of students from any one district that may participate in a program funded by a state interdistrict cooperative grant.

EFFECTIVE DATE: July 1, 2001

## **INTERDISTRICT MAGNET SCHOOLS**

### ***Enrollment Restrictions***

Starting on July 1, 2005, the bill reduces, from 80% to 75%, the maximum percentage of students from any one participating district that may attend an interdistrict magnet school. In addition, starting the same date, the student body of such a school must be at least 25%, but not more than 75%, minority. Under the bill, "minority" means those whose racial ancestry the Census Bureau defines as "other than white."

The bill specifies that no student who is enrolled in an interdistrict magnet school during the current (2000-01) school year may be displaced as a result of the enrollment restrictions.

Starting July 1, 2005, the bill bars the education commissioner from approving a state magnet school operating grant for any interdistrict magnet school that does not meet the enrollment restrictions. It allows him to waive the restrictions for one year and for good cause for an otherwise eligible magnet school. But it prohibits him from extending the exception for a second consecutive year.

### ***State Operating Grant Distribution Formula***

Starting with FY 2005-06, the bill adjusts the formula for determining maximum state per-pupil magnet school operating grants to conform to its new enrollment restrictions.

Under current law, participating districts receive the following per-student amounts: (1) 90% of the ECS foundation (currently \$5,891 per student) for districts whose students constitute 30% or less of a magnet school's total enrollment; (2) 60% to 90% of the ECS foundation for



districts whose students make up more than 30%, but not more than 60%, of a school's total enrollment, with the grant percentage inversely proportional to the enrollment (i.e., the lower the enrollment percentage, the higher the grant); and (3) zero to 60% of the ECS foundation for districts whose students make up more than 60%, but not more than 90%, of the magnet school enrollment, again in inverse proportion.

Under the bill, starting in FY 2005-06, the grants for each participating district are: (1) 90% of the ECS foundation for districts whose students constitute 25% or less of the magnet school's total enrollment; (2) 60% to 90% of the ECS foundation (in inverse proportion) for districts whose students make up more than 25%, but not more than 50%, of the school's total enrollment; and (3) zero to 60% of the ECS foundation (in inverse proportion) for districts whose students make up more than 50%, but not more than 75%, of the magnet school enrollment.

## **OPEN CHOICE PROGRAM**

### ***Participation Restrictions in Bridgeport, Hartford, New Haven, New London, and Windham***

The bill restricts mandatory participation in the Open Choice Program in Bridgeport, Hartford, New Haven, New London, and Windham starting in the 2001-02 school year. Under the bill, the percentage of white students from those districts who leave to attend school in other districts as part of the program cannot be greater than the percentage of white students enrolled in public schools in those districts in the preceding school year. The bill requires the regional education service centers (RESCs) operating the program for the five districts to comply with the restrictions in making program participation decisions and in administering any lottery when demand exceeds the number of spaces available.

### ***Participation By Other Priority Districts***

The bill makes the Open Choice Program voluntary rather than mandatory for the nine remaining priority districts and delays its start until September 2003. Under current law, the program was required to

start in New Britain and Waterbury in September 2000 and in the remaining seven priority districts in September 2001.

The bill makes the program in the nine districts not covered by the mandatory program an “in-only” transfer. It allows students from outside the nine districts to transfer to schools in those districts but not students from the nine districts to leave. It also allows students to transfer in only if they bring racial, ethnic, and economic diversity to the districts. The voluntary, “in-only” program applies in Bristol, Danbury, East Hartford, Meriden, New Britain, Norwalk, Putnam, Stamford, and Waterbury.

The bill allows SDE to provide planning grants in FY 2002-03 to help RESCs in the areas around the nine districts plan to operate the program in the districts that choose to participate.

### **CHARTER SCHOOL FACILITY GRANTS**

Starting in FY 2001-02, the bill makes state charter schools whose charters have been renewed at least once by the SBE eligible to receive state school construction grants under the same procedures and requirements as apply to other public school building projects. But it requires the education commissioner to approve grants only for charter school projects that he finds will reduce racial, ethnic, and economic isolation.

The bill allows a state charter school to use its school construction grant to refinance a mortgage on its building.

It makes the state reimbursement percentage for a state charter school building project the same as that of the town where it is located. (The state reimburses towns for between 20% and 80% of their eligible school construction costs, depending on wealth.)

If within 20 years after the General Assembly approves a charter school project, the building ceases to be used for the purpose for which the grant was provided, the education commissioner must determine whether (1) title to the building and land reverts to the state or (2) the charter school governing council must reimburse the state for the amount of the grant.

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference

Yea 32      Nay 1

Appropriations Committee

Joint Favorable Substitute

Yea 49      Nay 2